

1 BORIS FELDMAN, State Bar No. 128838  
2 DYLAN J. LIDDIARD, State Bar No. 203055  
3 DOMINIQUE C. ALEPIN, State Bar No. 241648  
4 WILSON SONSINI GOODRICH & ROSATI  
5 Professional Corporation  
6 650 Page Mill Road  
Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
Facsimile: (650) 565-5100  
Email: boris.feldman@wsgr.com;  
dliddiard@wsgr.com; dalepin@wsgr.com

7 Attorneys for Defendant  
Bazaarvoice, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

20 WHEREAS, on February 14, 2013, the Court held an initial Case Management  
21 Conference (“CMC”) at which time the parties, in an effort to focus and preserve discovery  
22 resources, agreed in principle to the exchange of preliminary witness list in advance of the close  
23 of fact discovery; and

24 WHEREAS, the Court requested that the parties meet and confer concerning the  
25 exchange of preliminary and final witness lists;

26 NOW THEREFORE, it is hereby stipulated and agreed between Plaintiff and Defendant  
27 through their respective counsel listed below, subject to the approval of the Court, that:

- 1       1. On or before June 10, 2013 the parties shall exchange preliminary lists of fact
- 2       witnesses that may be called live at trial, excluding experts ("Preliminary Witness List");
- 3       2. On or before June 28, 2013 the parties may supplement their Preliminary Witness
- 4       Lists ("Supplemented Preliminary Witness List") by adding no more than ten (10) fact witnesses;
- 5       3. The parties shall exchange final trial witness lists ("Final Trial Witness List") on
- 6       August 6, 2013;
- 7       4. Absent good cause, witnesses that did not appear on a party's Preliminary Witness
- 8       List or Supplemented Preliminary Witness List shall be precluded from testifying live at trial;
- 9       and
- 10       5. Notwithstanding the other limitations on discovery in this case, including the cutoff
- 11       date for fact discovery, each party shall have the right to (1) seek documents from each witness
- 12       (subject to the parties' April 4 discovery protocol agreement) who appears on the opposing
- 13       party's Preliminary Witness List or Supplemented Preliminary Witness List, and (2) depose each
- 14       witness for up to four (4) hours on the record, unless the party has previously deposed the
- 15       witness in this litigation.

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1 Dated: June 6, 2013

By: /s/ Peter K. Huston  
Peter K. Huston  
Assistant Chief  
United States Department of Justice  
Antitrust Division  
450 Golden Gate Ave.  
San Francisco, CA 94102  
Telephone: (415) 436-6660  
Facsimile: (415) 436-6687  
E-mail: peter.huston@usdoj.gov  
Attorneys for Plaintiff United States of America

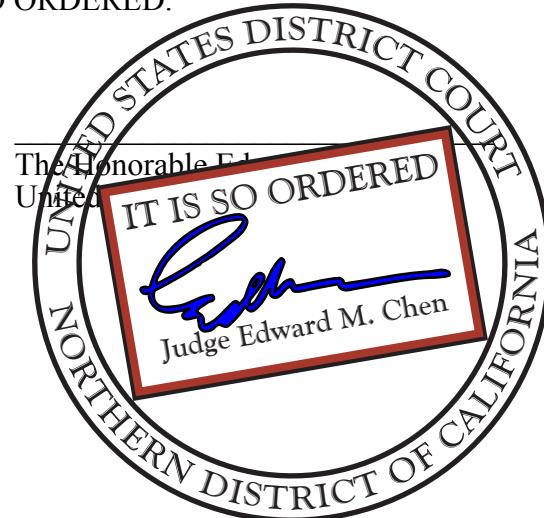
7 Dated: June 6, 2013

By: /s/ Dylan J. Liddiard  
Dylan J. Liddiard  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Rd  
Palo Alto, CA 94304  
Telephone: (650) 493-9300  
Facsimile: (650) 849-6811  
E-mail: dliddiard@wsgr.com  
Attorneys for Defendant Bazaarvoice, Inc.

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14 **[PROPOSED] ORDER**

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16  
17 Dated: 6/7/13



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## **ATTESTATION**

2 I, Dylan J. Liddiard, am the ECF user whose identification and password are being used  
3 to file the **STIPULATION AND [PROPOSED] ORDER REGARDING THE EXCHANGE**  
4 **OF PRELIMINARY AND FINAL WITNESS LISTS**. In compliance with Civil L.R. 5-  
5 1(i)(3), I hereby attest that Peter K. Huston has concurred in this filing..

7 || Dated: June 6, 2013

By: /s/ Dylan J. Liddiard  
Dylan J. Liddiard  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Rd  
Palo Alto, CA 94304  
Telephone: (650) 493-9300  
Facsimile: (650) 849-6811  
E-mail: [dliddiard@wsgr.com](mailto:dliddiard@wsgr.com)  
Attorneys for Defendant Bazaarvoice, Inc.